

County of San Diego, Health and Human Services Agency (HHSA)

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Background:

Assistance is to be offered in a manner which is consistent with, and will help achieve, basic program purposes, which respects individual rights, and does not violate individual privacy or personal dignity.

Policy:

40-100.E.1 Right to Apply

Any person has the right to apply for aid, either for themselves or on behalf of another. An applicant who appears ineligible must still be allowed to complete an application.

All CalWORKs applicants must complete an Application for Cash Aid, Food Stamps and/or Medi-Cal/State CMSP form and the Coversheet.

40-100.E.2 Applicant and Recipient Responsibilities

Applicants and recipients must assume responsibility within their capabilities.

These responsibilities include:

- Completion of all required documents
- Providing required documents that are available or in their possession.
- Reporting all known facts which they believe may affect their eligibility or which the county has informed them of as affecting eligibility

Any changes must be reported within the following timeframes:

- Applicants: Within **five** calendar days of the change
- Recipients: Within **ten** calendar days of the change which is required to be reported during the payment period

Reference: [CPG 44-270.G Mandatory Mid-Period Reports](#)

- Cooperating in quality control reviews

40-100.E.3 Assisting the Applicant/Recipient

Eligibility workers are responsible for:

- Evaluating whether applicants and recipients are capable of fulfilling their responsibilities
- Assisting applicants and recipients:
 - To understand their rights and responsibilities in relation to their application for or redetermination of aid
 - In establishing their eligibility, and helping them to realize the maximum personal independence of which they are capable, including self-care and self-maintenance

40-100.E.4 CalFresh Program Information

Applicants will be informed:

- That they may apply for CalFresh benefits at the same time they apply for CalWORKs
- That if they apply for CalFresh and CalWORKs at the same time, they have the right to file a joint application and will have a single interview for both programs
- In written form and verbally of the CalWORKs and CalFresh programs, explaining the eligibility rules and benefits available from both programs, and that the application interview for CalWORKs is sufficient for applying for CalFresh

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40-100.E.5 Informational Materials

The following required informational materials will either be given to applicants during the application interview, or mailed with the Notice of Action (NOA) forms approving or restoring CalWORKs grants:

- Child Health and Disability Prevention (CHDP) - [CPG 44-400.F](#)
- Family Planning
- Women, Infants, and Children (WIC) Program
- Earned Income Tax Credit (EITC)
- National Voter Registration Act (NVRA) [Eligibility Policy and Procedure Guide - NVRA](#)

Refer to CPG 45-200 for other forms and informing notices that must be provided during the application process:

- [Forms: Application](#)
- [Forms: Applications/Redetermination \(Supplemental\)](#)

40-100.E.6 Face-to-Face Interview Requirement

A face-to-face interview with the applicant is required prior to granting aid, including Immediate Need payments ([CPG 40-100.K](#)).

If both parents are in the home:

- Both parents are considered applicants
- Both parents must attend a face-to-face interview
 - The face-to-face interview requirement for applicants may not be waived in CalWORKs
 - The interview with each parent can occur separately
 - A stepparent must attend the interview only if he/she is aided as an optional person
- Both parents must sign the following forms:
 - Statement of Facts
 - Rights and Responsibilities

The worker will make every effort to obtain parents' signature on the Application and Statement of Facts forms. If the parents are not available, a caretaker relative may complete and sign these forms.

Face-to-Face Interview Accommodations

When any physical or mental condition prevents an applicant from attending a face-to-face interview in the Family Resource Center (FRC), offer accommodations by a home visit. If a home visit is infeasible, arrange with the applicant, an alternative accommodation that will be effective in meeting the applicant's needs.

Examples of physical or mental impairments include, but are not limited to:

- Medical or emotional issues which prevent the applicants from coming in to the FRC
- Hospital stays, or recent releases from the hospital and the applicants are unable to travel outside of the home
- Active communicable diseases

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Also offer home visits for other circumstances, such as an inability to access adequate transportation (either due to lack of funds or where the FRC is a considerable distance from the applicant's residence), or any other issue identified by the FRC in consultation with the applicant(s). Use discretion in order to determine when an accommodation is necessary based on the case circumstances. Any time an applicant indicates they cannot attend the face-to-face interview, inquire whether this is because of a disability or other circumstance, and evaluate the case for any accommodations.

If a request for reasonable accommodation is denied, remind the applicant of their right to file a complaint of discrimination if they feel they have been discriminated against, as instructed in [EPPG 02-1 Complaints of Discriminatory Treatment](#). Also remind the applicant of their right to file a non-discriminatory complaint, as specified in [EPPG 04-1 Customer Service Expectations and Complaint Process](#).

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Note:

Children are not required to attend a face-to-face interview. However a face-to-face interview or home visit may be required to clarify inconsistent information regarding children in the home.

40-100.E.7 Minor Parent Requirements

Refer to [CPG 41-500.H](#) for minor parent requirements and/or exemptions

40-100.E.8 Application for Cash Aid

An application is a request for aid in writing made to the county.

Applications are classified as follows:

- **New Application**
 - The applicant has not previously applied for the same aid in the same county
- **Restoration**
 - An application for the same category of aid in the same county in which the applicant received aid when such application is made within 12 months from the date of the discontinuance
 - Refer to [CPG 44-270.D.9](#) for restorations in the calendar month following a SAR 7 related discontinuance
- **Reapplication**
 - The applicant's previous application for the same aid in the same county was withdrawn or denied
 - The applicant is a former recipient of the same aid in the same county whose grant has been discontinued for more than 12 months, at the time of the current application

The date of application is the later of the date the applicant signs the application or the date the county receives the signed application.

Refer to [CPG 40-100.U](#) for applications submitted online.

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40-100.E.9 Collection of Ethnicity and Race/Ethnic Origin Data

Collection of Ethnicity and Race/Ethnic Origin Data:

- The applicant/recipients' provision of ethnicity and race information is voluntary
- Self-identification is the preferred method of obtaining ethnic and racial data

Assisting Applicant with Completion of Application Forms:

- The question regarding Hispanic or Latino ethnicity shall be asked first, followed by race
- Clients who declare themselves to be of multi-racial/ethnic origins shall have all of their races/ethnicities captured and reported

Applicant Declining to Identify Ethnicity and/or Race/Ethnic Origin:

When the applicant declines to identify his/her ethnicity and/or race, the worker will:

- Encourage the applicant to self-identify any missing Ethnicity and/or Race/Ethnic origin data
- Inform the applicant that workers are required to collect ethnic and race data through visual observation
- Complete appropriate sections of the application forms, if the applicant still declines to self-identify, using their best judgment and visual observation to identify which category best applies

40-100.E.10 The *Statement of Facts* Form

The *Statement of Facts* form must be:

- Completed at intake and at annual renewal
- Signed by the parent/caretaker relative
- Signed by stepparent if included in the AU
- Retained in the case, or signature page imaged to electronic case file

Note:

A parent/caretaker relative/stepparent may be considered unavailable to participate in interview process and/or for signing application document(s) if he/she is physically or mentally incapable. In these cases, the worker will make personal contact, such as a home call (refer to [Face-to-Face Interview Accommodations](#)), with the participant to determine their inability to participate, before aid can be authorized.

A new *Application* or *Statement of Facts* is not required when rescinding a denial for failure to cooperate in providing verification and processing is based on the original application date when:

- The applicant provides verification by the end of the 30th calendar day after the date of the denial NOA, and/or
- The granting of aid occurs after 60 days.

The *Statement of Facts* form must include the following individuals if living in the home:

- The applicant child
- All children who are siblings or half siblings of the applicant child
- Parents of any child listed above
- A pregnant woman in a one-person Assistance Unit (AU)

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- Caretaker relative, stepparent, California domestic partner of the SSI/SSP child's parent, and second parent of an SSI/SSP child when aid is requested

Other people who need to be included:

- Caretaker relative, stepparent, California domestic partner of the child's parent, and second parent of a child who is sanctioned (Welfare-to-Work, IPV, fleeing felon, etc.)
- Senior Parent
- Sponsor of an noncitizen
- Spouses or California domestic partner of persons mandatorily included in the family
- Optional persons when aid is requested for the optional person Refer to [CPG 41-500.D](#)

The worker has responsibility for determining if the appropriate persons are included on the Statement of Facts and must:

- Deny the application when the applicant refuses to include persons required to be listed
- Deny aid for optional persons when the applicant refuses to include them on the Statement of Facts

Note:

Biological relatives of a child are not required to be included on the Statement of Facts when any of the following applies:

- The child has been relinquished for adoption
- The child has not been adopted but parental rights have been terminated

40-100.E.11 Promptness Requirement to Determine Eligibility

Determination of eligibility must be complete within 45 calendar days after filing an application. This includes the following actions:

- Gathering of any necessary evidence
- Approving or denying the application
- Mailing the NOA

The time limit may be exceeded when completion of the determination of eligibility is delayed due to circumstances beyond the control of the agency and the reason for delay must be documented in the case narrative. These circumstances include:

- Inability on the part of applicant to provide necessary clarification
- Failure or delay of examining physician to provide all required information
- Application made prior to date on which applicant meets the eligibility requirements and the 45 day period ends before applicant meets the requirements

40-100.E.12 Rescind Denial/Restoring Aid

A denial may be rescinded as long as the reason for denial was based solely on the applicant's failure to cooperate in providing evidence of eligibility. However, the applicant must provide the evidence within 30 calendar days from the date of the NOA. Aid can be restored if the county received the evidence of eligibility needed within 30 calendar days of the date of the NOA

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40-100.E.13 Active Non-Assistance CalFresh Case

When the CalWORKs applicant has an active Non-Assistance CalFresh case the intake worker will evaluate CalFresh Eligibility and take action to change benefits from Non-Assistance CalFresh to Public Assistance CalFresh.

Note:

- CalFresh benefits cannot be decreased without timely notice as this is an ongoing CalFresh case
- CalFresh recertification and CalWORKs redetermination must be aligned

40-100.E.14 Statewide Fingerprinting Imaging System (SFIS)

As a condition of eligibility for the entire AU, all applicants other than dependent children and persons physically unable to provide the necessary images, will be required to provide two fingerprint images and a photo image. Failure to provide the images will result in ineligibility for the entire AU.

Refer to [CPG 40-100.V](#)

40-100.E.15 Income and Eligibility Verification System (IEVS)

All family members who possess social security numbers must be referred to IEVS at application at the first available opportunity, but no later than five work days after the Statement of Facts is signed. Workers will not delay determination of eligibility pending receipt of IEVS information, if eligibility is otherwise established.

Refer to [CPG 44-100.N](#) for complete description and referral process.

40-100.E.16 CalWORKs Program Requirements Information

All CalWORKs applicants/recipients must also be informed of program requirements, including but not limited to the following:

- Immunization [CPG 42-100.J](#)
- School attendance [CPG 42-100.D](#), [CPG 42-100.E](#)
- Assignment of child/spousal support rights [CPG 43-200.A](#)
- Maximum Family Grant (MFG) [CPG 44-300.C](#)
- Application and acceptance of all unconditional available income [CPG 44-100.C](#)

- Non-citizen sponsorship

If there is a sponsored non-citizen, the non-citizen must provide their Affidavit of Support (from USCIS) form and the sponsor must provide the required information on the Sponsor's Statement of Facts Income and Resources form. The non-citizen is responsible for ensuring the form is received by the sponsor, and the return of the completed and signed form to the worker.

The failure of applicant to provide the form when required will result in ineligibility of the sponsored non-citizen only.

Refer to [CPG 42-400.G](#)

- Employment Services [CPG 40-200.A](#)

40-100.E.17 Potential eligibility to AFDC - Foster Care (AFDC-FC)

- When a child has been placed with a relative by court order, potential eligibility to AFDC-FC must be evaluated and the application be referred to the Foster Care Intake Unit
- Foster care dependent children who are placed with relatives ineligible to federal or state FC payments may qualify for CalWORKs benefits until age 18

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- Caretaker relatives of foster care children may also **choose** to receive CalWORKs assistance rather than AFDC-FC payments. Their decision is documented by the Foster Care worker
Refer to [CPG 40-100.S](#)

40-100.E.18 Treatment of Changes during the Application Process

Any changes reported by the AU while the application is still determining eligibility for CalWORKs will be used to make a correct final determination of eligibility and grant amount.

- If changes take place after the beginning date of aid, but before the determination of eligibility, and the change results in applicant ineligibility, the worker will deny aid.
- If the changes do not result in ineligibility, but will have an effect on the grant amount, they will be used to determine the correct grant amount for the AU.
- If the applicant is ineligible at the time of the application, but will become eligible within 60 days, the worker will withhold action on the application until the applicant family will be eligible. The applicant must be notified, with the appropriate NOA, that the application is being held and the date when action will be taken.

Refer to [Processing Guide 44-100.E3](#) for additional information and examples.

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40-100.E.19 Evaluating New Members to the AU

The worker will evaluate several factors in order to determine whether and when to add a new member to the AU.

The evaluation is based on regulations regarding *voluntary* mid-period changes, and their effect on the CalWORKs grant for the current AU, as outlined in:

- [CPG 44-270.H Voluntary Mid-Period Reports](#)
- [CPG 44-270.J.2 Multiple Voluntary Reports](#)

40-100.E.20 Adding Adults and/or Children 16 Years or Older

Completion of the *Statement of Facts for Additional Persons* form is required when:

- An adult or child, 16 years or older, moves into the home and is required to be in the AU
- An adult **and** child **under** 16 years old (including a newborn **and** previously unaided father of the newborn) move into the home and are required to be in the AU

In addition the adult must:

- Attend a face-to-face interview and
- Provide all documentation/verifications as required by CalWORKs Program regulations

40-100.E.21 Adding Children Under 16 Years Old

Completion of the *Statement of Facts to Add a Child under 16 Years* form is required when a child under age 16 (including newborns) moves into the home and is required to be in the AU or aid is requested for the child.

A face-to-face interview is **not** required when evaluating children under 16 years old for addition to an existing AU. The *Statement of Facts to Add a Child under 16 Years* form will be sent to the recipient for completion and the parent/caretaker relative must:

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- Complete and sign the form
- Submit the form (either in person or by mail) to the worker for processing
- Provide all documentation/verifications as required by CalWORKs Program regulations

Note:

The worker will follow regulations regarding treatment of Pregnancy Special Need (PSN) payment when adding a newborn, as outlined in [CPG 44-200.D Pregnancy Special Need](#).

Procedure:

1. Refer to [Processing Guide 44-100.E1 Applications Made by Non-parent Caretaker Relative](#)
2. Refer to [Processing Guide 44-100.E2 Required Forms for Persons Requesting to be Aided in an Existing AU](#)
3. Refer to [Processing Guide 44-100.E3 Treatment of Changes during the Application Process](#)

Impacts:

Refer to the following regulations for their corresponding application process:

- Cash Assistance Program for Immigrants [99-100.2](#)
- CalFresh [63-103](#)
- County Medical Services [Article 2 Section 1](#)
- General Relief [90-100.1](#)
- Medi-Cal [Article 4 Section 2](#)

References:

- [EAS 40-100](#)
 - [40-105 Applicant and Recipient Responsibility](#)
 - [40-107 County Responsibility](#)
 - [40-109 Applicant Rights with Respect to Application for Aid - General](#)
 - [40-115 The Application Process](#)
 - [40-117 Who May Apply](#)
 - [40-118 Who Must Be Included on the Statement of Facts](#)
 - [40-119 How and Where Application is Made](#)
 - [40-121 Completing the Application](#)
 - [40-125 Reapplications, Restorations](#)
 - [40-126 Processing Applications](#)
 - [40-128 Applicant's Statement of Facts](#)
 - [40-131 Interview Requirement](#)
 - [40-161 Home Visit](#)
- [ACL 14-57](#)
- [ACL 15-31](#)

Approval for Release:

August 14, 2015

Sunset Date:

This policy will be reviewed for continuance by August 31, 2018.